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Attorney Docket No.: 020366-077610US

Commissioner for Patents
Box 1450

Alexandria, VA 22313-1450

On Jensey 19, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: All

Anna C. Kundel

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard Cerami, et al.

Application No.: 09/921,283

Filed: August 1, 2001

For: PROACTIVE REPAIR PROCESS IN THE XDSL NETWORK (WITH A

VDSL FOCUS)

Examiner: Nadeem Iqbal

Art Unit: 2114

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications, applicant has not submitted copies of the U.S. references. It is respectfully requested that the cited references be expressly considered

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Richard Cerami, et al.

Application No.: 09/921,283

Page 2

during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that an \$180 fee for submission of this statement is required. The Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Brian N. Young Reg. No. 48,602

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 415-576-0200 Fax: 415-576-0300

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TRADE

for form 1449A/PTO

## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

(use as many sheets as necessary)

of Sheet

Complete if Known				
Application Number	09/921,283			
Filing Date	August 1, 2001			
First Named Inventor	Cerami, Richard			
Art Unit	2114			
Examiner Name	Nadeem Iqbal			
Attorney Docket Number	020366-077610US			

	U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No.1	Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	AA	US-5,261,044	11-09-1993	Dev et al.		
	AB	US-5,295,244	03-15-1994	Dev et al.		
	AC	US-5,504,921	04-02-1996	Dev et al.		
	AD	US-5,655,081	08-05-1997	Bonnell et al.		
	AE	US-5,666,481	09-09-1997	Lewis		
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	AG	US-5,751,933	05-12-1998	Dev et al.		
	AH	US-5,870,558	02-09-1999	Branton, Jr., et al.		
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	AM	US-6,006,016	12-21-1999	Faigon, et al.		
	AN	US-6,081,517	06-27-2000	Liu et al.		
	AO	US-6,209,033	03-27-2001	Datta et al.		
	AP	US-6,233,449	05-15-2001	Glitho, et al.		
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	AR	US-6,446,123	09-03-2002	Ballantine, et al.		
	AS	US-6,556,659	04-29-2003	Bowman-Amuah		
	AT	US-6,604,137	08-05-2003	Cowan et al.		
	AU	US-6,647,414	11-11-2003	Eriksson, et al.		
	AV	US-6,711,137	03-23-2004	Klasser et al.		
	AW	US-6,788,765	09-07-2004	Beamon		
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				<b>FOREIGN PA</b>	TENT DOCUME	NTS		
Examiner Initials*	Cite No.1	Foreign Patent Document		Publication Date	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant		
		Country Code <sup>3</sup>	Number⁴	Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Document	Figures Appear	T
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 

Applicant's unique citation designation number (optional). 

Kind Codes of U.S. Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 

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## Effective on 12/08/2004. Fees partient to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL

For FY 2005

Applicant claims small	entity status.	See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	18	80

	Complete if Known	
Application Number	09/921,283	
Filing Date	August 1, 2001	
First Named Inventor	Cerami, Richard	
Examiner Name	Nadeem Iqbal	
Art Unit	2114	
Attorney Docket No.	020366-077610US	

METHOD OF PAYMENT (check all that apply)							
Check Credit Card Money Order None Other (please identify):							
Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend a							
For the above-ide	ntified deposit account, the D	irector is hereby authorized	to: (check all that apply)				
Charge fee(s	) indicated below	Char	ge fee(s) indicated below, except	for the filing fee			
Charge any a	additional fee(s) or underpay	nents of fee(s)	it any overpayments				
Under 37 CFF WARNING: Information on thi	R 1.16 and 1.17 is form may become public. Cre		ot be included on this form. Provide	credit card			
information and authorization	on PTO-2038						
FEE CALCULATION		· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·			
1. BASIC FILING, SEA	RCH, AND EXAMINATIO	N FEES SEARCH FEES	EXAMINATION FEES				
,	FILING FEES Small Entity	SEARCH FEES  Small Entity	Small Entity				
Application Type	Fee (\$) Fee (\$)	Fee (\$) Fee (\$)	Fee (\$) Fee (\$)	Fees Paid (\$)			
Utility	300 150	500 250	200 100				
Design	200 100	100 50	130 65				
Plant	200 100	300 150	160 80				
Reissue	300 150	500 250	600 300 .				
Provisional	200 100	0 0	0 0				
2. EXCESS CLAIM FEE	ES			Small Entity			
Fee Description				Fee (\$) Fee (\$)			
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Total Claims							
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Indep. Claims	Extra Claims Fee (\$						
	ndent claims paid for, if greater th						
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)							
for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets			O or fraction thereof Fee (\$) whole number) x	Fee Paid (\$)			
100 -	/50	(round up to a v	whole number) x				
4. OTHER FEE(S)			•	Fees Paid (\$)			
Non-English Speci	fication, \$130 fee (no s	small entity discount)					
Other: Submission	of Information Disclosu	re Stmt		180			

SUBMITTED BY	Λ	<u> </u>	
Signature	Am	Registration No. (Attorney/Agent) 48	,602 Telephone 415-576-0200
Name (Print/Type)	Brian N. Young		Date 1/19/05



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/921,283
Filing Date	August 1, 2001
First Named Inventor	Cerami, Richard
Art Unit	2114
Examiner Name	Nadeem Iqbal
Attorney Docket Number	020366 077610119

Total Number of	Pages in This Submission	6			U2U366-U	7761005		_/
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	SIGNA	TURE	OF APPLICANT, A	ATTORNEY	, OR AG	ENT		
Firm Name	Townsend and Town	send an	d Crew LLP					
Signature		$\sim$				···		
Printed name	Brian N. Young	U						
Date	January 19, 2005			Reg. No.	48,60	02		
I hereby certify the envelope address	at this correspondence is be sed to: Commissioner for Pa	eing depo	CATE OF TRANS sited with the United St. D. Box 1450, Alexandria	ates Postal Sei	rvice with s	sufficient posta date shown be	age as first class mail in ar	7
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Typed or printed in	name Anna Kundel					Date	1/19/05	